

## Fiscal Estimate - 2009 Session

☒ Original      ☐ Updated      ☐ Corrected      ☐ Supplemental

<b>LRB Number</b> <b>09-0299/1</b>		<b>Introduction Number</b> <b>AB-0549</b>	
<b>Description</b> Psychological evaluations for law enforcement officers, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority			
<b>Fiscal Effect</b>			
<b>State:</b>			
<input type="checkbox"/> No State Fiscal Effect			
<input checked="" type="checkbox"/> Indeterminate			
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Increase Existing Revenues	
<input type="checkbox"/> Decrease Existing Appropriations		<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Create New Appropriations		<input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget	
		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Decrease Costs	
<b>Local:</b>			
<input type="checkbox"/> No Local Government Costs			
<input checked="" type="checkbox"/> Indeterminate			
1. <input type="checkbox"/> Increase Costs		3. <input type="checkbox"/> Increase Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs		4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
<b>5. Types of Local Government Units Affected</b>			
<input type="checkbox"/> Towns		<input type="checkbox"/> Village <input type="checkbox"/> Cities	
<input type="checkbox"/> Counties		<input type="checkbox"/> Others	
<input type="checkbox"/> School Districts		<input type="checkbox"/> WTCS Districts	
<b>Fund Sources Affected</b>		<b>Affected Ch. 20 Appropriations</b>	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS			
<b>Agency/Prepared By</b>		<b>Authorized Signature</b>	<b>Date</b>
DOJ/ Mark Rinehart (608) 264-9463		Mark Rinehart (608) 264-9463	12/4/2009

## Fiscal Estimate Narratives

DOJ 12/4/2009

LRB Number	09-0299/1	Introduction Number	AB-0549	Estimate Type	Original
<b>Description</b> Psychological evaluations for law enforcement officers, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority					

### Assumptions Used in Arriving at Fiscal Estimate

Under current law, the Law Enforcement Standards Board (LESB) is attached to the Department of Justice (DOJ) and DOJ shall supply the staffing needs of the LESB.

Under 2009 Assembly Bill 549, no person may be appointed as a full-time law enforcement or tribal law enforcement officer on or after January 1, 2010, unless the person receives an evaluation by a licensed psychologist and the evaluation is reviewed by the appointing authority. AB 549 requires the LESB to promulgate rules regarding the content of the psychological evaluation and to submit a report to the legislature by April 1, 2011, on the effect of requiring psychological evaluations and whether the requirement should be extended to part-time officers and officers who serve on special weapons and tactics units.

#### State Impact:

Since DOJ is required to supply the staffing needs of the LESB, DOJ will incur costs assisting the LESB with its new duties and responsibilities under AB 549. DOJ anticipates having to facilitate the LESB's efforts to: 1) convene and/or interview mental health experts to determine the proper content of a psychological evaluation for law enforcement candidates; and 2) conduct a study and submit a report that evaluates the effectiveness of requiring psychological evaluations for law enforcement candidates and that recommends whether psychological evaluations should be required for others. In addition, AB 549 will necessitate that DOJ make modifications to existing documents and a database used to implement current LESB policies. DOJ estimates that these costs will total approximately \$25,000.

DOJ believes that the psychological evaluations required by AB 549 will cost between \$500 and \$1,000. AB 549 is silent on who will pay for the psychological evaluations. DOJ hires 5 special agents in an average year. If DOJ pays for the evaluations of its law enforcement candidates, AB 549 will cost DOJ between \$2,500 and \$5,000 annually.

DOJ anticipates that it will be able to absorb these estimated costs. If the costs are significantly higher, DOJ will not be able to absorb them and will need additional resources.

#### Local Impact:

Under current law, it is permissible for a city, village, or county law enforcement agency to require a law enforcement candidate to be subject to a psychological evaluation prior to gaining employment with the agency. As stated above, under AB 549, all full-time law enforcement candidates will be required to have a psychological evaluation. Any local agency that does not pass the costs of candidate evaluations on to the candidates will incur the costs of those evaluations.

### Long-Range Fiscal Implications

## Fiscal Estimate - 2009 Session

☒ Original
 ☐ Updated
 ☐ Corrected
 ☐ Supplemental

<b>LRB Number</b> <b>09-0299/1</b>	<b>Introduction Number</b> <b>AB-0549</b>
<b>Description</b> Psychological evaluations for law enforcement officers, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority	
<b>Fiscal Effect</b>  <b>State:</b> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input checked="" type="checkbox"/> No State Fiscal Effect  <input type="checkbox"/> Indeterminate                      <input type="checkbox"/> Increase Existing Appropriations                      <input type="checkbox"/> Decrease Existing Appropriations                      <input type="checkbox"/> Create New Appropriations                 </div> <div style="width: 33%;"> <input type="checkbox"/> Increase Existing Revenues  <input type="checkbox"/> Decrease Existing Revenues                 </div> <div style="width: 33%;"> <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget                      <input type="checkbox"/> Yes                      <input type="checkbox"/> No  <input type="checkbox"/> Decrease Costs                 </div> </div> <b>Local:</b> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> No Local Government Costs  <input checked="" type="checkbox"/> Indeterminate                      1. <input type="checkbox"/> Increase Costs                      3. <input type="checkbox"/> Increase Revenue                      <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory              <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory                      2. <input type="checkbox"/> Decrease Costs                      4. <input type="checkbox"/> Decrease Revenue                      <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory              <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory                 </div> <div style="width: 33%;"> <b>5. Types of Local Government Units Affected</b>  <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> Towns  <input type="checkbox"/> Counties  <input type="checkbox"/> School Districts                         </div> <div style="width: 33%;"> <input type="checkbox"/> Village  <input type="checkbox"/> Others  <input type="checkbox"/> WTCS Districts                         </div> <div style="width: 33%;"> <input type="checkbox"/> Cities                         </div> </div> </div> </div>	
<b>Fund Sources Affected</b> <b>Affected Ch. 20 Appropriations</b> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> GPR   <input type="checkbox"/> FED   <input type="checkbox"/> PRO   <input type="checkbox"/> PRS   <input type="checkbox"/> SEG   <input type="checkbox"/> SEGS                 </div> <div></div> </div>	
<b>Agency/Prepared By</b> DOT/ Remi Aregbesola (608) 267-7392	<b>Authorized Signature</b> Julie Johnson (608) 267-3703
<b>Date</b> 12/8/2009	

## Fiscal Estimate Narratives

DOT 12/8/2009

LRB Number	<b>09-0299/1</b>	Introduction Number	<b>AB-0549</b>	Estimate Type	<b>Original</b>
<b>Description</b> Psychological evaluations for law enforcement officers, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority					

### Assumptions Used in Arriving at Fiscal Estimate

Under the Law Enforcement Standards (Chapter LES 2, Wis. Admin. Code), the Division of State Patrol currently completes a psychological evaluation on final candidates for the State Patrol Trooper/Inspector classifications.

The current psychological evaluation costs \$299 per person. This includes the administration and analysis of the written psychological examination, the administration and analysis of the oral psychological exam and any additional costs providing analysis to State Patrol management.

The overall cost per year depends on the size of the recruit class for that particular year. Since the Department currently conducts and pays for these psychological evaluations, the bill would not impose any new costs on DOT.

### Long-Range Fiscal Implications

No long-range implicatons

## Fiscal Estimate - 2009 Session

☒ Original
 ☐ Updated
 ☐ Corrected
 ☐ Supplemental

<b>LRB Number</b> <b>09-0299/1</b>	<b>Introduction Number</b> <b>AB-0549</b>		
<b>Description</b> Psychological evaluations for law enforcement officers, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority			
<b>Fiscal Effect</b>  <b>State:</b> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input checked="" type="checkbox"/> No State Fiscal Effect  <input type="checkbox"/> Indeterminate                      <input type="checkbox"/> Increase Existing Appropriations                      <input type="checkbox"/> Decrease Existing Appropriations                      <input type="checkbox"/> Create New Appropriations                 </div> <div style="width: 33%;"> <input type="checkbox"/> Increase Existing Revenues  <input type="checkbox"/> Decrease Existing Revenues                 </div> <div style="width: 33%;"> <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget                      <input type="checkbox"/> Yes      <input type="checkbox"/> No  <input type="checkbox"/> Decrease Costs                 </div> </div> <b>Local:</b> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> No Local Government Costs  <input type="checkbox"/> Indeterminate                      1. <input checked="" type="checkbox"/> Increase Costs                      <input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory                      2. <input type="checkbox"/> Decrease Costs                      <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory                 </div> <div style="width: 33%;">                     3. <input type="checkbox"/> Increase Revenue                      <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory                      4. <input type="checkbox"/> Decrease Revenue                      <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory                 </div> <div style="width: 33%;"> <b>5. Types of Local Government Units Affected</b>  <input checked="" type="checkbox"/> Towns    <input checked="" type="checkbox"/> Village    <input checked="" type="checkbox"/> Cities  <input checked="" type="checkbox"/> Counties    <input type="checkbox"/> Others  <input type="checkbox"/> School Districts    <input type="checkbox"/> WTCS Districts                 </div> </div>			
<b>Fund Sources Affected</b> <b>Affected Ch. 20 Appropriations</b> <input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 101, 134			
<b>Agency/Prepared By</b> ERC/ Georgann Kramer (608) 266-9287	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; padding: 5px;"> <b>Authorized Signature</b>                      Peter Davis (608) 266-2993                 </td> <td style="width: 30%; padding: 5px;"> <b>Date</b>                      11/9/2009                 </td> </tr> </table>	<b>Authorized Signature</b> Peter Davis (608) 266-2993	<b>Date</b> 11/9/2009
<b>Authorized Signature</b> Peter Davis (608) 266-2993	<b>Date</b> 11/9/2009		

## **Fiscal Estimate Narratives**

**ERC 11/9/2009**

LRB Number	<b>09-0299/1</b>	Introduction Number	<b>AB-0549</b>	Estimate Type	<b>Original</b>
<b>Description</b> Psychological evaluations for law enforcement officers, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority					

### **Assumptions Used in Arriving at Fiscal Estimate**

AB 549 will have no fiscal impact on the Wisconsin Employment Relations Commission.

The cost of the tests and evaluations required by AB 549 will increase costs for local units of government.

### **Long-Range Fiscal Implications**

## Fiscal Estimate - 2009 Session

☒ Original
 ☐ Updated
 ☐ Corrected
 ☐ Supplemental

<b>LRB Number</b> <b>09-0299/1</b>	<b>Introduction Number</b> <b>AB-0549</b>	
<b>Description</b> Psychological evaluations for law enforcement officers, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority		
<b>Fiscal Effect</b>  <b>State:</b> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> No State Fiscal Effect  <input checked="" type="checkbox"/> Indeterminate  <div style="margin-left: 20px;"> <input type="checkbox"/> Increase Existing Appropriations  <input type="checkbox"/> Decrease Existing Appropriations  <input type="checkbox"/> Create New Appropriations                             </div> </div> <div style="width: 33%;"> <input type="checkbox"/> Increase Existing Revenues  <input type="checkbox"/> Decrease Existing Revenues                             </div> <div style="width: 33%;"> <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget  <div style="margin-left: 20px;"> <input type="checkbox"/> Yes    <input type="checkbox"/> No                             </div> <input type="checkbox"/> Decrease Costs                         </div> </div> <b>Local:</b> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> No Local Government Costs  <input checked="" type="checkbox"/> Indeterminate  <div style="margin-left: 20px;"> <div style="display: flex; justify-content: space-between;"> <div>                         1. <input type="checkbox"/> Increase Costs  <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory                          2. <input type="checkbox"/> Decrease Costs  <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory                             </div> <div>                         3. <input type="checkbox"/> Increase Revenue  <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory                          4. <input type="checkbox"/> Decrease Revenue  <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory                             </div> </div> </div> </div> <div style="width: 33%;"> <b>5. Types of Local Government Units Affected</b>  <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> Towns  <input type="checkbox"/> Counties  <input type="checkbox"/> School Districts                             </div> <div style="width: 33%;"> <input type="checkbox"/> Village  <input type="checkbox"/> Others  <input type="checkbox"/> WTCS Districts                             </div> <div style="width: 33%;"> <input type="checkbox"/> Cities                             </div> </div> </div> </div>		
<div style="display: flex; justify-content: space-between;"> <div> <b>Fund Sources Affected</b>  <input type="checkbox"/> GPR   <input type="checkbox"/> FED   <input type="checkbox"/> PRO   <input type="checkbox"/> PRS   <input type="checkbox"/> SEG   <input type="checkbox"/> SEGS                         </div> <div> <b>Affected Ch. 20 Appropriations</b> </div> </div>		
<b>Agency/Prepared By</b>  OSER/ Yer Vang (608) 266-9820	<b>Authorized Signature</b>  Yer Vang (608) 266-9820	<b>Date</b>  12/1/2009

## Fiscal Estimate Narratives

OSER 12/1/2009

LRB Number	09-0299/1	Introduction Number	AB-0549	Estimate Type	Original
<b>Description</b> Psychological evaluations for law enforcement officers, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority					

### Assumptions Used in Arriving at Fiscal Estimate

This bill (AB 549) provides that candidates for full-time law enforcement or tribal law enforcement positions must submit to psychological evaluations before appointment to these positions on or after January 1, 2010. It also requires hiring agencies to review the psychological evaluations before making appointments, and that the evaluations are confidential and not subject to public inspection or copying under the open records law.

The bill further requires that the Law Enforcement Standards Board (LESB) promulgate rules for the content of said psychological evaluations. Further, the bill requires the LESB to submit to the legislature by April 1, 2011 a report that; 1) evaluates the effect of the new requirement; 2) makes a recommendation as to whether the same evaluations be required for part-time or limited term officers, and; 3) whether the same evaluations should be required for officers appointed to special weapons and tactic units.

Finally, the provisions in this bill make the new requirement for psychological examinations a prohibited subject of bargaining under the State Employment Labor Relations Act.

It is known that some law enforcement agencies already conduct psychological screenings of candidates for these positions, and that others do not. The bill specifies that the psychological evaluations be conducted by licensed psychologists. In that the bill directs the LESB to develop by rule the content of these evaluations, the resulting content of the proposed psychological examinations is therefore not yet known.

Therefore, the fiscal estimate as it relates to any new or increased costs to the Office of State Employment Relations through its involvement in the testing and hiring of candidates for the state's law enforcement positions are indeterminate.

### Long-Range Fiscal Implications

Indeterminate.